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UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

DAVID KEBE,)	Civil No. 1:CV-00-1883
Petitioner)	
)	(Judge Kane)
v.)	
)	(Magistrate Judge Blewitt)
IMMIGRATION & NATURALIZATION)	
SERVICE,)	
Respondent)	

FILED
HARRISBURG
APR 30 2001
MARY E. D'ANDREA, CLERK
Per *MA*
DEPUTY CLERK

NUNC PRO TUNC MOTION FOR ENLARGEMENT OF TIME

Respondent, Immigration and Naturalization Service (INS) hereby requests nunc pro tunc that the Court permit it a one (1) day enlargement of time pursuant to Fed. R. Civ. P. 6(b) in which to file a response to the Petition for Writ of Habeas Corpus. Respondent states the following in support thereof:

1. Petitioner, David Kebe, is an inmate incarcerated at Snyder County Prison, Selingsgrove, Pennsylvania.
2. Petitioner filed the instant Petition for Writ of Habeas Corpus on October 25, 2000.
3. On April 5, 2001, the Court directed service of the Petition on Respondent INS, and directed that Respondent show cause within twenty (20) days why Petitioner should not be granted habeas corpus relief.
4. On April 25, 2001, this Court granted respondent a two-day extension of time until April 27, 2001, to file a response

to the show cause order. However, counsel was out of the Office due to illness from April 25, 2001 through April 27, 2001.

5. Therefore, the undersigned was unable to file the response to the show cause order.

6. Thus, on behalf of the respondent, the United States Attorney's Office requests a nunc pro tunc one (1) day extension of time in which to respond to the show cause order. Respondent's response is being filed simultaneously with the instant motion.

7. Because Petitioner is an incarcerated individual proceeding pro se, pursuant to Local Rule 7.1, his concurrence in the instant motion has not been sought.

Wherefore, respondent requests this Court to grant its nunc pro tunc request for a one (1) day extension of time until April 30, 2001, in which to respond to the allegations of the petition.

Respectfully submitted,

DAVID M. BARASCH
United States Attorney



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Dated: April 30, 2001

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that she is an employee in the Office of the United States Attorney for the Middle District of Pennsylvania and is a person of such age and discretion to be competent to serve papers.

That this 30th day of April 2001, she served a copy of the attached

NUNC PRO TUNC MOTION FOR ENLARGEMENT OF TIME

by placing said copy in a postpaid envelope addressed to the person hereinafter named, at the place and address stated below, which is the last known address, and by depositing said envelope and contents in the United States Mail at Harrisburg, Pennsylvania.

ADDRESSEE(S)

David Kebe
No. 9900080/United B-16
Snyder County Prison
600 Old Colony Road
Selingsgrove, PA 17870


Dawn L. Mayko
Legal Secretary